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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/736,143 10/28/96 APPLE

T 03294.0027-0

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LM02/0626

EXAMINER

BLACKMAN, A

ART UNIT

PAPER NUMBER

2779

DATE MAILED:

06/26/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

# Office Action Summary

Application No.  
**08/736,143**

Applicant(s)  
**Apple et al**

Examiner  
**Anthony Blackman**

Group Art Unit  
**2779**



☒ Responsive to communication(s) filed on Oct 13, 1999

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claim

☒ Claim(s) 1-38 is/are pending in the application

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1-38 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☒ The drawing(s) filed on Oct 28, 1996 is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☒ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been  
☒ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

Art Unit: 2779

### **DETAILED ACTION**

1. The drawings are considered to be informal because they fail to comply with 37 CFR 1.84(a)(1) which requires black and white drawings using India ink or its equivalent.

Photographs and color drawings are acceptable only for examination purposes unless a petition filed under 37 CFR 1.84(a)(2) or (b)(1) is granted permitting their use as formal drawings. In the event applicant wishes to use the drawings currently on file as formal drawings, a petition must be filed for acceptance of the photographs or color drawings as formal drawings. Any such petition must be accompanied by the appropriate fee as set forth in 37 CFR 1.17(I), three sets of drawings or photographs, as appropriate, and, if filed under the provisions of 37 CFR 1.84(a)(2), an amendment to the first paragraph of the brief description of the drawings section of the specification which states:

The file of this patent contains at least one drawing executed in color. Copies of this patent with color drawing(s) will be provided by the Patent and Trademark Office upon request and payment of the necessary fee.

Color photographs will be accepted if the conditions for accepting color drawings have been satisfied.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Marshall(U.S. Patent No.5,675,746) in view of Risberg et al (U.S. Patent No.5,339,392) and further in view of Lauer et al (US Patent No. 5,523,769).

4. Consider claims 1-38. Marshall discloses A system for dynamically displaying graphic symbols and value information for financial instruments comprising (column 3, lines 52-63): the means of a first and second input port to receive a feed containing identifiers and corresponding values of financial instruments (column 4, lines 28-39, column 8, lines 22-37); a filter to extract from the feed the identifiers and corresponding values of the financial instruments (column 4, lines 39-47, column 8, lines 1-5, column 12, lines 16-57); an input Processor comprising a memory to store the extracted financial instrument identifiers and corresponding values (column 4, lines 48-67, column 5, lines 39-60, column 12, lines 16-57) a database/memory that stores graphic symbols and that can be accessed by financial instrument identifiers to provide graphic symbols corresponding to the financial instrument identifiers in the feed (column 4, lines 48-67, column 5, lines 39-60, column 12, lines 16-57); display signals containing metaphors/polygons and corporate logos representing variations in shapes, colors, positions, animations and textures as different characteristics of the financial data (column 6, lines 22-47), however, does not disclose display controller, or the means of a scrolling ticker display with current financial and market information, routing switches, bit-map data means. Risberg et al disclose display controller (column 1, lines 59-68), the means of a scrolling ticker display with current financial and market information (

Figure 3, elements 32, 34, 36, column 1, lines 59-68), the means of the routing switches (column 47, lines 47-52, column 48, lines 20-52, bit-map data means (column 24, line 65 through column 26, line 9). It would have been obvious to combine the display controlling means and scrolling ticker display means of Risberg et al with the financial information apparatus of Marshall because they share similar functions of observing and evaluating financial information represented through dynamic polygons and corporate logos containing financial data. Specifically, Risberg et al teach tickers, i.e., streams of trade data for various stocks (column 1, lines 60-64). However, Risberg et al does not disclose the means of a video wall display. Lauer et al disclose the means of a video wall display with each module having it's own display device and display means (Figures 1a, 1b, 3-6, column 3, line 57 through column 5, line 22). It would have been obvious to one skilled in the art at the time of the invention to utilize the teachings of the wall size display means of Lauer et al with the teachings of the virtual reality generator for use with financial information (column 1, lines 5-7) because Lauer et al's plural display means serves as a display output device of a large screen for the signals of Marshall that utilize displays driven in real time (column 1, lines 15-35).

### *Conclusion*

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anthony Blackman whose telephone number is (703) 305-0833. The examiner can normally be reached on Monday through Thursday from 8 a.m. to 4 p.m. EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Powell, can be reached on (703) 305-9703.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**

(703) 308-6606, (for formal communications intended for entry)

**Or:**

(703) 305-9731 (for informal or draft communications, please label

"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA.,


Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

  
Patent Examiner

Anthony J. Blackman

6/15/2000

  
MARK R. POWELL  
SUPERVISORY PATENT EXAMINER  
GROUP 2700